Special Edition

COMMEMORATOR

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Stay of Execution Saves Mumia — For Now

Political prisoner, activist, award winning journalist, leading member of the Black Panther Party wins indefinite stay as population rallies to his defense

By Commemorator staff

Photo by Evan Daniel

Above: San Francisco and below, Havana, are among the many cities of the world where protesters are calling for the release of U.S. political prisoner Mumia Abu-Jamal.

Facing the pressure of a rapidly growing worldwide movement in support of African-American journalist and deathrow inmate Mumia Abu-Jamal, Pennsylvania Common Pleas Senior Judge Albert Sabo committed a stunning about-face on August 10 and granted an indefinite stay of execution, stating that Abu-Jamal's need for more time to appeal was "obvious." Judge Sabo had previously denied petitions for stay, after Governor Thomas Ridge had signed a warrant to execute Mumia on August 17.

"We won the first round!" said Commemoration Committee for the Black Panther Party chair Melvin Dickson. "The entire staff is gratified to see a stay granted after over 4 years of featuring Mumia's writing.

"Our front page story in the last issue hit the street just two days before the stay was granted. But it's obvious this was timed to divert attention from the full story and pre-empt nationwide protests announced for August 12. We will not drop our guard for a sucker punch."

Abu-Jamal's attorney, Leonard Weinglass, said he didn't think Judge Sabo, whose 31 death sentences are more than double those of any other judge, has ever granted such a stay of execution before. Sabo could cancel the stay at any time, allowing Governor Thomas Ridge to sign a new death warrant. Members of the defense team stated that Judge Sabo ruled to keep control of the case and avoid a stay being granted by the state Supreme Court, where a petition was filed the previous Thursday. Sabo has now set September 11 for attorneys to present "findings of fact," after weeks of testimony.

"This is a cool-out tactic," said Dickson. "Every veteran Black Panther Party member I've spoken with knows this scenario all too well. Nothing fundamental has changed: the same system that prosecuted Mumia and thousands of others for years remains intact and free to pursue its criminal behavior. When Nelson Mandela was freed, people around the world thought the struggle was over and they could relax. The U.S. returned Aristide to Haiti, and the vigilance of supporters for the popular democratic movement in Haiti dwindled. Now look at both of those countries.

"No effort to save Mumia which is sincere and serious will disband or relax its efforts now. That's just what the governor, the judge, the prosecutor and the authorities who decided it was time for a stay are waiting for. We have only won a brief respite, a window of time during which we must consolidate our gains and marshall our forces for the next attack," said Dickson.

Abu-Jamal stated after winning the stay, "I am now not under an active death warrant, although I remain under an active death sentence, thus I still sojourn in hell." Former Black Panther member and politcal prisoner, Terry Cotton said, "Mumia was obviously railroaded by the Philadelphia police and condemned to die. Hopefully, he will get the opportunity to present his side of the story. People need to stay focused and not react to the traps that are being laid out by those who would like to see Mumia, the movement and his spirit defeated."

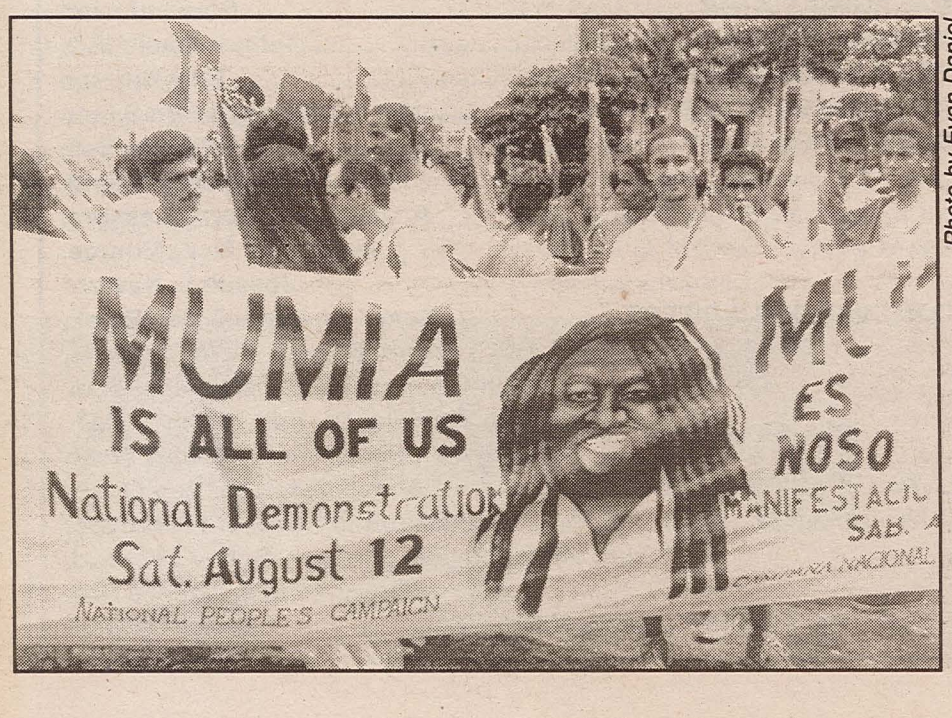

Photo by Evan Daniel

One of the demands that is emanating from the growing mass movement against the death penalty and to save the life of Abu-Jamal is that Judge Sabo should be disqualified. However, one observer stated that would be a waste of energy because the political system would replace him. "They have hundreds waiting in the wings to take his place. What we need is a total change in the economic and political system that produces legalized murder by the state based not on guilt or severity of the crime but on what kind of legal defense the accused can afford. Of course this mostly kills poor and working class people, maintaining a system of economic exploitation and racial oppression. Mumia never got a chance to defend himself in any meaningful way."

Abu-Jamal's name has now become a household word because of the mobilization across the nation and around the world. "Alienation of the American people from the government is growing, manifested in the response two years ago to the acquittal of four Los Angeles police officers charged with the beating of Rodney King, and the upsurge of popular support for the demand that Mumia not be killed, stated Dickson. "People are making the connection between the railroading of Mumia and the rapid deterioration of economic conditions, as government policies benefit the wealthiest at the expense of poor and working class and one-time 'middle class' communities in the nation and elsewhere. Judge Sabo, a notorious 'hanging judge' would never have changed his ruling if not compelled to do so."

It was not very long ago that another champion of liberation for the oppressed, Nelson Mandela, excited those who believed that his liberation and freedom was tied to the liberation and freedom of South Africa's thirty million blacks. Although it is true that thousands of fellow political prisoners were released, due to the publicity surrounding the release of Mr. Mandela, the economic struggle is still to be won in South Africa. This cannot be won until the American people advance the struggle for revolutionary intercommunalism as put forth by the late Black Panther Party founder Huey

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Government Confidence Reaches New Low as Mumia Dodges Death Blow

By Commemorator staff

Urban centers like South Central and East Los Angeles and Washington Heights in New York City threaten to explode in rage as each and every manifestation of oppression reaches the popular mind.

Examples of police repression being at its apex in the wake of demonstrations seeking to save the life of Mumia Abu-Jamal are everywhere. In Los Angeles, a 14-year-old was shot by a policeman, and when neighbors ran a car wash to raise the money for funeral expenses, police broke it up violently. Within a matter of days, a police officer was charged with having pushed a 17-year-old Hispanic youth out of a fourth story window in Washington Heights, and the whole neighborhood came out in force once again, united against the brutality of the police. Recognizing the total lack of [illegible] in the government, special police public relations officers were spread throughout the community, and enforcement officials held a series of meetings with the family of the victim injured in the fall, who was threatened with charges of criminal trespass and possession of dangerous drugs and drug paraphernalia. Hours later, the teenager recanted, saying he had lied because the crowd in the street had told him he was pushed; he went along because he was stunned and disoriented.

The very next day, an indefinite stay of execution was granted to Mumia Abu-Jamal, to allow the cool-out squads to move behind the scenes and remove the threat of practical action implicit in the anger of the people facing overt government oppression. And yet Mumia remains in jeopardy, as do all the citizens of our poor communities who let down their guard. Meanwhile, the anger and distrust remain, ready to well up into spontaneous expression in reaction to the next attack. In the wake of the COINTELPRO attacks against organizations of the poor and the Black communities people in the post World War II era of American history, confidence in the government is nil.

After the acquittal of officers who had clearly beaten Rodney King and been caught in the act on videotape, demonstrations erupted across the nation, which evoked government reaction through mobilization of police, National Guard forces and the Marines, with tens of thousands arrested, hundreds beaten and dozens killed in Los Angeles alone in 1992. The people of Washington Heights turned out in force, complaining that police had unnecessarily killed several youths in supposed hot pursuit. The neighborhood became an armed camp while angry residents broke windows of banks and other businesses owned by outsiders, leaving locals untouched. Police department officials cleared their subordinates of any wrongdoing. The lines were drawn.

Photo by Evan Daniel

Rally in San Francisco to celebrate Mumia's temporary "victory" and to call for a new trial.

This past year, poor minority communities of the country have been rocked by the legalization of the death penalty in places where it has not been the law for decades. In places like the Bronx, New York, the District Attorney has announced that he will not seek the penalty, in deference to the wishes of the poor community which elected him, which is almost solely black and Hispanic.

The matter was made real to the Black communities of the nation with the signing of the death warrant on Mumia Abu-Jamal in Pennsylvania. Mr. Jamal, a nationally known radio celebrity, writer, and columnist was charged with killing a police officer and convicted after a trial his supporters claim was a put-up job because of his membership in the Black Panther Party, his outspoken stance on police brutality, and his support of the radical group, MOVE, which was bombed by the city of Philadelphia in 1985. The current Philadelphia mayor Edward Rendell was its district attorney both at the time of Mr. Jamal's conviction and the City's fire bombing of the Cobbs Creek neighborhood.

"Mumia Abu-Jamal sits behind bars along with hundreds of other death-row inmates," said Melvin Dickson, Commemorator editor. "Waiting, waiting for the people of the poor communities of our nation to organize themselves, waiting for them to learn the lessons about how to build community organization, as taught by Dr. Huey P. Newton, waiting for them to dedicate themselves seriously to the tasks that lie before us, to learn from and overcome the perceived differences and pettiness that have held us back in the past, knowing that all prisoners in the United States are political prisoners, that they are there because they are poor minorities, because they do not have enough political power to protect themselves and their families.

"We came together to dedicate ourselves to the life and teachings of Huey Newton, and to use them to change the conditions our people face, of hunger and hopelessness, of death and homelessness. We do not want to ever have to commemorate another fallen hero. Mumia's life has been saved for now, by the government's fear of angry people in the streets. But they will outlast us and they will trick us, they will divide us and they will distract us, and so this is not enough. Community organizations must be built to bring self-determination to the people of our poor communities, which is the first of the ten points of the BPP program. It is only in that way that we can put an end to police brutality, murders, and other forms of oppression, demanded in the seventh and ninth points of the platform.

"We cannot move in reaction," Dickson said. "We must organize our poor communities."

Opinions and positions taken in articles with bylines are those of their writers. The views expressed in the bylined editorial and opinion pieces published by The Commemorator *do not* necessarily *indicate its endorsement or support. —The Editor*

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"SERVING ALL OPPRESSED COMMUNITIES"

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Demonstrations rock East LA after cop shoots teen

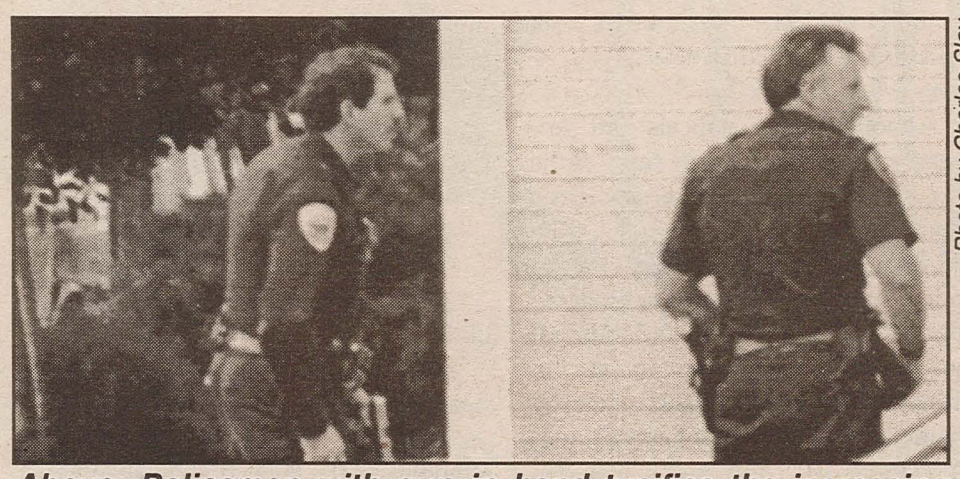

Photo by Charles Slay

Above: Policeman with gun in hand typifies the increasing level of intimidation and repression black and poor communities face, and the U.S. government protects.

By Commemorator staff

On July 29, 1995, 14 year old Jose Antonio Gutierrez was murdered by police in the Lincoln Heights area of East Los Angeles. The police allege that Gutierrez was in possession of a gun, but other witnesses state there was only a flashlight.

The officer who killed Gutierrez was on record with the Los Angeles police department as having harassed and assaulted residents of East LA. In the wake of the boy's death, numerous protests were waged throughout the area. More than 25 people were arrested, and a 10 pm curfew imposed in the area by city officials after protesters were met by over 100 police officers wielding clubs. While the protests in Lincoln Heights were the largest since the 1992 acquittal of four Los Angeles police officers in the brutal beating of black motorist Rodney King, the current action has been largely ignored by the mainstream press.

King's beating inspired volatile protests throughout the nation and resulted in the largest civil protest in the history of the United States. Police officers Koon and Powell were later found guilty, in a federal trial, of depriving King of his federally-protected civil rights while acting under color of law.

However, the government conducted no investigation of the state trial to prove the conspiracy between various government bureaus of law enforcement, nor were the 20 other officers, who were present at the scene and captured on film beating the two passengers who were with Rodney King subject to prosecution.

When John G. Davies, the judge in King's federal trial, reversed his earlier ruling requiring racial discrimination be proven as motivation behind the police attack on King, proof of institutional racism in Los Angeles to satisfy an enraged populace was precluded. Equal Justice Committees, unwilling to watch federal prosecutors "take a dive" as a result of Judge Davies' restrictive evidentiary ruling, continued documenting racialism-institutional patterns of racism—even after Davies backed down to keep the subject out of court.

Many in Los Angeles charge that instead of an investigation into the cause of Gutierrez's death, officials are engaged in "cool-out" tactics similar to those used in Philadelphia in 1979 and again in 1985. Federal investigations of police brutality followed the infamous Rizzo decision and after a federal grand jury refused to indict government officials for the firebombing of a Philadelphia neighborhood.

"Federal government funds went into the communities, diverted legal actions, placated community anger and coopted its proposed solutions," Christina DeBono, field director of the Coalition of Concerned Legal Professionals said. "This has nothing to do with justice. Those funds are a political ploy, a ruse purporting to address the issue, used to ward off protests and other manifestations of the community's complete and utter disbelief that the system, as it is currently formulated, will ever work for poor and working people.

"We've seen the right of habeas corpus abrogated by 'emergency legislation' and a Supreme Court that has procedurally limited prisoners' right to habeas corpus to the point where rights have been threatened with extinction. It is the same old story.

"What the community needs," DeBono continued, "is leadership coming from the ground up that understands what must be done to solve these problems once and for all. The justifiable anger that we feel must be channeled into an organization and leadership that can actually change conditions in our low-income communities. Without this, all the protests in the world will not get us where we need to go—to hold the power to determine the conditions of the work we must do and the lives we must build for ourselves, our families, our communities and our country."

"Our cities are exploding in anger [illegible]," said Ella Johnson, volunteer and coordinator with the [illegible] Justice Committee. "There is no law in the land for the poor save that which further oppresses our people. The brutality which hits our communities every day is not phenomenonal. It is a condition of those who rule by crisis, when they have no economic answers to keep the population in line."

Saved for Now

Continued from page 1

P. Newton, whereby reciprocity and solidarity grassroots organizations are built in oppressed communities through such survival programs as those that grew out of the Ten-Point Program nearly 30 years ago, stated Dickson.

Now people are saying and correctly so, continued Dickson, "What about the thousands of other poor minorities on death row who will not get their day in court because they cannot afford a competent defense attorney, or who are not as popular and articulate as Mumia?"

In what appears to most readers as a transparent and calculated effort to trivialize the campaign before it achieves its goal of Mumia's exoneration and release, stories in the government-controlled press are pointing to the list of celebrities who have spoken in support of Abu-Jamal, asking why less articulate and less well known death row inmates are any less deserving of mass support.

Dickson went on to state, "It's a lot like when major industries said they would equalize work rules for men and women by paying men less and cutting out protections for women, rather than by paying women more and extending the same safety rules to apply to men. We want Mumia freed, and we want every politically and legally tainted conviction overturned. Sure, bring on all the other cases. Let's have them out in the open too.

"This is what Mumia would want, this is what Malcolm X would want. This is what Huey would want. This is what all political prisoners would want. Mumia believes in putting in the Ten Point Program of the Black Panther Party; so should the movement.

"This is only a litmus test of the growing mass popularity and support in the United States and throughout the world for the fight to save the life of Mumia. They have not forgotten the Rodney King affair only three years ago. If Rodney King, an unknown and inarticulate person, could spark such revolt that brought tens of thousands into the streets, requiring the mobilization of national guard and U.S. army units, what would be the result of the execution of Mumia, a widely known writer and advocate?

"The same international economic system that framed Mumia, has already murdered brother Malcolm X, Dr. Martin Luther King, murdered some 38 members of the Black Panther Party, murdered members of the MOVE organization, framed Geronimo ji-Jaga Pratt and Leonard Peltier and tens of thousands of lesser known brothers and sisters who are now warehoused in jails and prisons because they are poor and minorities. Meantime it has produced more billionaires than any time in history, while increasing the homeless population throughout the world. They will only play the time and numbers game to come up with ways to confuse the issue, and undermine the movement which is on the upswing.

"We must remain vigilant, remembering that it is not over until it is over, until poor and working people assume the power to control their destiny."

All Power to the People.

Credibility Gap Zaps Rap in Trap

Jamil Abdullah Al-Amin, world renowned as 1960's Black Panther Party and Student Non-Violent Coordinating Committee leader H. Rap Brown, who was recently elected to head up local Atlanta Muslim community efforts to remove drugs from poor black neighborhoods, remains charged with weapons possession and assault. Despite a spotless 20-year record as minister of the city's West End Community Mosque, bail was set at $27,000.

The victim in the incident, William Miles, who filed a complaint after interviews by members of the Bureau of Alcohol, Tobacco and Firearms, the Federal Bureau of Investigation, and local police, representing a Joint Counterterrorist Task Force, alleging Mr. Al-Amin shot him in the leg July 26, insisted August 17 that he did not know who shot him and that task force officials pressured him into making the false identification. Local authorities have not yet agreed to drop the charges. As federal agents sought to distance themselves from the matter, calling it "purely local," local community leaders called it a set-up designed to thwart local community efforts at drug eradications.

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The Stay

© 1995 By Mumia Abu-Jamal

"Justice is just an emotional feeling..."—Judge Albert F. Sabo, PCRA Hearing, *Com. v. Abu-Jamal*

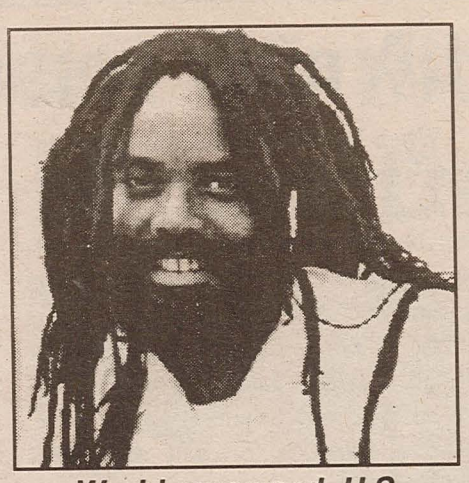
In the late morning of August 7, 1995, Senior Judge Sabo surprised many in the courtroom by issuing an extended stay of execution, citing "pending appeals" in the case.

The decision seemed expected by the prosecutors, but stunned member of the defense team, whose client had 10 days 'til death, and who expected nothing from the crusty, acerbic jurist.

Observers believe this was the first stay issued in the judge's career.

Questions abound—among them, "What does it mean?"

To simplify, a stay is a judicial stop sign, and in this case, stopped a death warrant.



World renowned, U.S. political prisoner, Mumia Abu-Jamal.

It should be clear, however, that the writer remains on death row, under a death sentence—only the date has been changed.

The state of Pennsylvania still has every intention of killing me—just not right now.

Thus, the stay is a limited victory, not just for the Jamals and the Africas, but for thousands and tens of thousands of people from every corner of the globe—to these many, our most profound and heartfelt thanks for your militant and spirited protests.

Long Live John Africa!

Although many radicals and progressives expressed joy at news of the stay, other political analysts saw it as a clever move by a clever judge, who did what higher courts would've done and, in so doing, attempted to blunt the edge off of a growing and militant anti-death penalty movement, in Philadelphia and beyond, thereby stymieing a series of planned demonstrations.

Whatever the reasoning, let us utilize this precious time to build a stronger and broader movement, to not "stay" one execution, but to halt them all! *Down with racist U.S. death penalty!*

In an age when South Africa, once the pariah of the international community, has abolished all executions as an affront to the inherent right to life, our task can not be to merely stay (or slow down) one man's execution. No! it must be to echo the world — the European Community, Australia, South Africa, et al. — in total abolition of this racist vestige of the lynching tree, all forms of state murder.

It will take the power of the people — you — us all — to bring it about.

We can do it.

If you are truly committed, we *will* do it.

I know I am doing my part — will you help me?

This stay, is but the first step, although in the right direction, in our long walk to freedom.

No matter where you live there is a support group near you; contact Concerned Family and Friends (International) (215) 476-8812.

We are growing — thanx to you!

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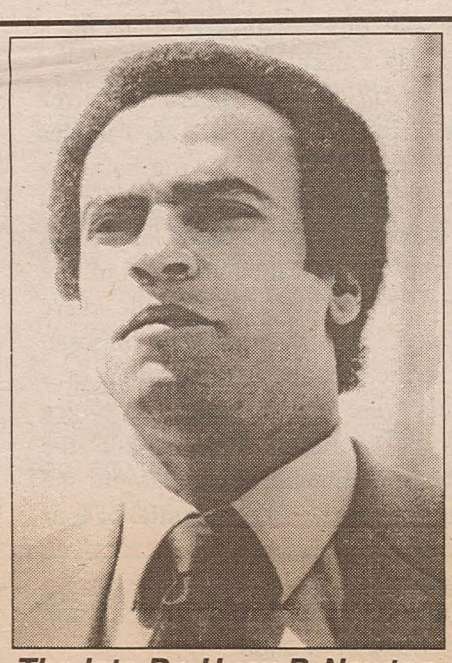
10. WE WANT LAND, BREAD, HOUSING, EDUCATION, CLOTHING, JUSTICE, PEACE AND PEOPLE'S COMMUNITY CONTROL OF MODERN TECHNOLOGY.



The late Dr. Huey P. Newton, Black Panther Party founder and leader.

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